

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, APRIL 26, 2011

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JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 26, 2011

The Senate met in regular session at 9:10 a.m., President Kibbie presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Hannah Walsh.

The Journal of Monday, April 25, 2011, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:40 a.m. until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:11 p.m., President Kibbie presiding.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 530](#).

[Senate File 530](#)

On motion of Senator Quirmbach, [Senate File 530](#), a bill for an act relating to the family farm property tax credit by providing for

eligible entities and including effective date and applicability provisions, was taken up for consideration.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 530), the vote was:

Yeas, 49:

Anderson	Dearden	Hogg	Schoenjahn
Bacon	Dix	Horn	Seng
Bartz	Dotzler	Houser	Seymour
Beall	Dvorsky	Jochum	Smith
Behn	Ernst	Johnson	Sodders
Bertrand	Feenstra	Kapucian	Sorenson
Black	Fraise	Kettering	Ward
Boettger	Greiner	Kibbie	Whitver
Bolkcom	Gronstal	McCoy	Wilhelm
Bowman	Hahn	McKinley	Zaun
Courtney	Hamerlinck	Quirnbach	
Dandekar	Hancock	Ragan	
Danielson	Hatch	Rielly	

Nays, none.

Present, 1:

Chelgren

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 527](#).

Senate File 527

On motion of Senator Dotzler, **Senate File 527**, a bill for an act relating to the administration of the Iowa finance authority and making appropriations, was taken up for consideration.

Senator Boettger withdrew amendment **S-3274**, filed by her on April 20, 2011, striking and replacing everything after the enacting clause of the bill.

Senator Dotzler offered amendment **S-3276**, filed by him on April 20, 2011, to page 1 and amending the title page of the bill.

Senator Dotzler withdrew amendment **S-3280**, filed by him on April 20, 2011, to pages 2 and 3 and amending the title provisions of amendment **S-3276**.

Senator Dotzler moved the adoption of amendment **S-3276**.

Amendment **S-3276** was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (**S.F. 527**), the vote was:

Yeas, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Sodders
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, 24:

Anderson	Chelgren	Hamerlinck	Seymour
Bacon	Dix	Houser	Smith
Bartz	Ernst	Johnson	Sorenson

Behn	Feenstra	Kapucian	Ward
Bertrand	Greiner	Kettering	Whitver
Boettger	Hahn	McKinley	Zaun

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

UNFINISHED BUSINESS
(Deferred April 5, 2011)

House File 461

The Senate resumed consideration of **House File 461**, a bill for an act relating to the attachment of tags to deer carcasses, and amendment **S-3218**, deferred April 5, 2011.

Senator Chelgren withdrew amendment **S-3218**.

Senator Danielson withdrew amendment **S-3225**, filed by him on April 7, 2011, to page 1 and amending the title page of the bill.

Senator Sorenson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (**H.F. 461**), the vote was:

Yeas, 49:

Anderson	Dearden	Hogg	Schoenjahn
Bacon	Dix	Horn	Seng
Bartz	Dotzler	Houser	Seymour
Beall	Dvorsky	Jochum	Smith
Behn	Ernst	Johnson	Sodders
Bertrand	Feenstra	Kapucian	Sorenson
Boettger	Fraise	Kettering	Ward
Bolkcom	Greiner	Kibbie	Whitver
Bowman	Gronstal	McCoy	Wilhelm
Chelgren	Hahn	McKinley	Zaun

Courtney	Hamerlinck	Quirnbach
Dandekar	Hancock	Ragan
Danielson	Hatch	Rielly

Nays, 1:

Black

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 328](#).

House File 328

On motion of Senator Kettering, [House File 328](#), a bill for an act relating to matters under the purview of the division of banking of the department of commerce, and including effective date provisions, placed on the Unfinished Business Calendar on April 7, 2011, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler withdrew amendment [S-3263](#), filed by him on April 19, 2011, to page 1 of the bill.

Senator Kettering moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 328](#)), the vote was:

Yeas, 50:

Anderson	Danielson	Hatch	Rielly
Bacon	Dearden	Hogg	Schoenjahn
Bartz	Dix	Horn	Seng
Beall	Dotzler	Houser	Seymour
Behn	Dvorsky	Jochum	Smith
Bertrand	Ernst	Johnson	Sodders

Black	Feenstra	Kapucian	Sorenson
Boettger	Fraise	Kettering	Ward
Bolkcom	Greiner	Kibbie	Whitver
Bowman	Gronstal	McCoy	Wilhelm
Chelgren	Hahn	McKinley	Zaun
Courtney	Hamerlinck	Quirnbach	
Dandekar	Hancock	Ragan	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 527 and 530** and **House Files 328 and 461** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:43 p.m. until 11:00 a.m., Wednesday, April 27, 2011.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Shraddha Batra, Valley High School—For being selected as a 2011 Borlaug-Ruan International Intern as part of the World Food Prize Global Youth Initiative. Senator Ward (4/26/11).

Lou Ella Jones, Oskaloosa—For celebrating her 100th birthday. Senator Rielly (4/26/11).

Frances Karsten, Oskaloosa—For celebrating her 90th birthday. Senator Rielly (4/26/11).

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Tuesday, April 26, 2011, 1:35 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Zaun, Ranking Member; Anderson, Bartz, Black, Chelgren, Dandekar, Dotzler, Feenstra, Hogg, Jochum, McCoy, Quirmbach, and Smith.

Members Absent: None.

Committee Business: Passed [HF 676](#).

Adjourned: 1:45 p.m.

INTRODUCTION OF BILL

[Senate File 532](#), by committee on Appropriations, a bill for an act relating to flood mitigation by establishing a flood mitigation program, establishing a flood mitigation board, authorizing the use of certain sales tax revenue and other financial assistance for flood mitigation projects, establishing a flood mitigation fund, authorizing the issuance of bonds for certain flood mitigation projects, and including effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

SUBCOMMITTEE ASSIGNMENT

[House File 686](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *[SENATE FILE 532 \(SSB 1209\)](#), a bill for an act relating to flood mitigation by establishing a flood mitigation program, establishing a flood mitigation board, authorizing the use of certain sales tax revenue and other financial assistance for flood mitigation projects, establishing a flood mitigation fund, authorizing the issuance of bonds for certain flood mitigation projects, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Dvorsky, McCoy, Kettering, Bartz, Black, Boettger, Danielson, Dix, Dotzler, Fraise, Hancock, Hatch, Hogg, Houser, Jochum, Johnson, Kapucian, Ragan, Schoenjahn, and Seymour. Nays, 1: Bolkcom. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 532](#), and they were attached to the committee report.

WAYS AND MEANS

Bill Title: [HOUSE FILE 676 \(HSB 233\)](#), a bill for an act providing an exemption from the fee for new registration for motor vehicles leased to certain governmental agencies and nonprofit entities.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bolkcom, Seng, Zaun, Anderson, Bartz, Black, Dandekar, Dotzler, Feenstra, Hogg, Jochum, McCoy, Quirmbach, and Smith. Nays, 1: Chelgren. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 26th day of April, 2011.

Senate Files 236, 397, 407, 418, 424, 482, 515, and 521.

MICHAEL E. MARSHALL
Secretary of the Senate

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on April 26, 2011, to investigate the appointment and reappointment of the following appointees:

HUMAN RESOURCES

As a member of the Commission of Latino Affairs:

ALEJANDRO PINO – Jochum; Chair; Wilhelm and Whitver

JUDICIARY

As a member of the Iowa State Civil Rights Commission:

PATRICIA LIPSKI – Quirmbach, Chair; Hancock and Sorenson

STATE GOVERNMENT

As members of the Commission of Native American Affairs:

VICKY APALA-CUEVAS – Sodders, Chair; Danielson and Behn
KEITH CARPENTER – Sodders, Chair; Danielson and Behn

As a member of the Board of Nursing:

DEBRA LARSON – Hatch, Chair; Courtney and Behn

AMENDMENTS FILED

S-3293	H.F.	649	Appropriations
S-3294	H.F.	645	Brian Schoenjahn